IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 23986 of 1999

Between:

1.M Satyanarayana Goud S/o Sri Penta Goud

2.B.V.Krishna Goud S/o Peruna Goud

Both are residents of Gummadidalla village

Jinnaram mandal, Medak district

..... PETITIONERS

AND

1.The Collector (Excise), Medak District at Sangareddi

2.The Commissioner, Prohibition & Excise, Medak at Sangareddi;

3.The Prohibition & Excise Superintendent, Medak district at Sangareddi

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other direction directing the respondents to grant membership to the petitioners in the Taddy Tapper Coop.society, Gummadidalla village, Jinnaram Mandal, Medak district.

For the Petitioners: MR.FAZAL YOUSUFFUDIN

For the Respondents.: GP FOR PROHIBITION & EXCISE

The Court Made the Following :

W.P.No.23986 of 1999

ORDER:

The petitioners made an application to enroll them as members of the Toddy Tappers Cooperative Society, Gummadidall village on 26-7-1997 and requested to sanction T.F.T. licence for the excise year 1997-98. The said application was referred to the S.H.O., Narasapur for enquiry and for submission of verification report after conducting the tapping test through S.D.P. & E.O., Medak. The S.H.O., Narsapur has conducted tapping test to the petitioners and submitted his verification report on 7-10-1998, stating that the petitioners are not qualified in the tapping test and as such recommended for rejection for grant of T.F.T. licence in their name and it was also recommended for conversion of existing T.F.T. into T.C.S. in favour of seven existing licenses and five new members as they are tappers and fully eligible for formation of new T.C.S. for 1997-98. Keeping in view of the excise policy and the guidelines issued by the Excise Commissioner dated 6-11-1997 for conversion of T.F.T. into T.C.S. and. vice-versa for the year 1997-98, if any T.F.T. holders left shall be allowed to continue under the T.F.T. scheme. The petitioners again made

another representation for conducting re-tapping test and grant them licences under T.F.T. scheme. Pursuant to the said representation, re-tapping test was conducted to the petitioners on 7-11-1997 and found both the petitioners are eligible and know the tapping and their case was recommended for grant of T.F.T. licences. After getting approval for sanction of two T.F.T. counters in their favour for the year 1997-98, proceedings in CR.No.1544/97/B2, dated 27-12-1997 were issued. At that stage, one N Venkatesham Goud, an existing T.F.T. licence counter No.6 of Gummadidalla, filed Writ petition No.318/98 challenging the orders of the Collector dated 27-12-1997 and obtained interim suspension. The respondents state that due to interim stay granted, licences to the petitioners could not be issued. The said Writ Petition No.318/98 was dismissed as withdrawn on 18-7-2001, since the relief claimed in the writ petition has become infructuous.

In view of the same, if the petitioners are eligible to be admitted into Toddy Tappers Cooperative Society and are entitled to T.F.T. licences for the subsequent years, the respondents shall consider the same, if not already considered and enrol them as members of the society, by granting T.F.T.licence in their favour.

The writ petition is accordingly disposed of. No costs.

2nd JULY 2004

BSS/KMR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Collector (Excise), Medak District at Sangareddi

2.The Commissioner, Prohibition & Excise, Medak at Sangareddi;

3.The Prohibition & Excise Superintendent, Medak district at Sangareddi

4.2CCs to G.P. for Prohibition & Excise, HIGHCOURT Buildings,

Hyderabad (OUT)

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